

IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE EIGHTEENTH DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE K.C. BHANU

WRIT PETITION No. 5540 of 2005

Between:

Touti Saraiah, S/o Kanakaiah,
R/o K.T.K. -3, Incline, Bhoopalapally Village,

Warangal District.

..... PETITIONER

AND

Singareni Collieries Limited, rep. by its Project Officer,

Bhoopalapalli Project Area,
Bhoopalapally Village, Warangal District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate writ, more in the nature of mandamus declaring the action of the respondent in advising the petitioner to vacate the quarter at Srirampur Area, hand over the same to the concerned officials within 7 days from the date of receipt of the letter, submit quarter vacation certificate failing which penal rent @ 1500 /- per month will be recovered from March, 2005 salary onwards of the petitioner as per Rules in the middle of the academic year vide their proceedings No. BHP/KTK-3/W.002/430, dated 28-2-2005 as being arbitrary, illegal, unjustified and set aside the same and pass such other order or orders as this Hon'ble Court may deem fit and proper under the circumstances of the case in the interest of justice.

Counsel for the Petitioner: MR.K.LAKSHMAN (not present)

Counsel for the Respondent: MR.NANDIGAM KRISHANA RAO

The Court at the admission stage made the following:

ORDER:

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By the impugned proceedings in Ref.No.BHP/KTK-3/W.002/430, dated 28.02.2005, issued by the respondent, the petitioner was advised to vacate the quarter at Srirampur (P) area and to hand over the same to the concerned Area Officials within seven days. Challenging the same, the present writ petition is filed.

None appears for the petitioner. Heard the learned standing Counsel for the respondent, who opposed the writ petition, on the ground that since the petitioner was transferred from Srirampur area to Bhoopalapalli area, he has no right to continue in the quarter at Srirampur.

Since the petitioner has been transferred from one area to another area, he has no right to remain in the quarter at Srirampu. Therefore, the respondent, directing the petitioner to vacate the quarter at Srirampur, has rightly issued the impugned proceedings dated 28.02.2005. Hence the impugned proceedings do not suffer from any incurable legal infirmities. The writ petition is devoid of merit.

Therefore, the Writ Petition is dismissed. No order as to costs.

Dated: 18.03.2005

Dsr

ASSISTANT REGISTRAR

To:

1. The Project Officer,
Singareni Collieries Limited,
Bhoopalapalli Project Area,
Bhoopalapally village, Warangal District

2. Two CD copies

3. 1 CC to MR.LAKSHMAN

*Form-NIC-OGS/WP{**AVLR**}*